

I support this application, because it will ensure stability by conserving the current usage by all contemporary authors of these generic names.

(2) Ted C. MacRae

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I support this application, because adherence to priority would require massive and unjustified nomenclatural rearrangement.

(3) Svatopluk Bílý

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I support this application, because it is the right approach to maintaining nomenclatural stability in this group of beetles.

(4) Allen Sundholm

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I support this application, in the interests of stability.

Comment on the proposed precedence of *Ovula gisortiana* Passy, 1859 over *Cypraea coombii* J. de C. Sowerby in Dixon, 1850.

(Case 3220; see BZN 59: 173–175)

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I write in opposition to the proposal to give precedence to *Gisortia gisortiana* (Passy, 1859) over *G. coombii* (J. de C. Sowerby in Dixon, 1850) should they be considered to be synonymous.

Since Schilder's redescription of *Gisortia coombii* (J. de C. Sowerby in Dixon, 1850) in 1929 from five specimens (one of which he subsequently (Schilder, 1930, p. 128) correctly recognized as a probable French specimen referable to *G. tuberculosa* (Duclos)), only four additional specimens of this species have found their way into the Natural History Museum collections in London. I know of no other specimens elsewhere in public museums. Through examination, I have been able to precisely localize all of these specimens in a modern stratigraphical context. Labels on recently collected material, combined with the preservation, matrix and contained fossils in the material Schilder examined, indicate that this species has been collected from only a thin stratigraphical interval (units E2ii to E4) of the Earnley Formation (previously part of the Lower Bracklesham Beds) of early Lutetian age from Bracklesham Bay, West Sussex (see Curry et al., 1978). This is despite these highly fossiliferous foreshore rock exposures being regularly exposed and collected from by many persons over at least the past 25 years. *Gisortia coombii* is

evidently a rare species with a very limited stratigraphic range, but that does not make it a forgotten one.

As *Gisortia coombii* has been found very rarely and from just one small locality in Britain, it is hardly surprising that its name has received limited use. Nevertheless, Pacaud & Dolin omit to mention that this species was featured (and considered valid) in the systematic compendium of Schilder (1930) that is still the most complete treatment of this group. This work cannot be considered merely 'a nomenclator or other index or list of names' (Article 23.9.6 of the Code), but a brief yet thorough systematic treatment, with identification keys to all then recognized species, complete synonymies, details of individual specimens, two tables of shell measurements and character states and two plates of illustrations.

Notwithstanding Schilder's work, the systematics of *Gisortia* species is still very uncertain for the six reasons that he enumerated in 1930. Of these, two (his points 4 and 6) are particularly germane with respect to the current application. First, 'many specimens are known only from one of a few species, so that some may be varieties of other species, for the variability of some common species is rather considerable' (Schilder, 1930, pp. 118–119). Secondly, 'most writers have had no opportunity to examine original specimens from foreign countries and to compare them with the species of their own country' (p. 119). Quite simply, Pacaud & Dolin fail to make a convincing case for the identity of *G. gisortiana* and *G. coombii*, though it is possible that future detailed systematic work might establish this. No new data have been published on the newly collected French material to which the authors allude. The current considerable uncertainties in species status are highlighted by Dolin & Dolin (1983) considering *G. gisortiana* as synonymous with another nominal species, *G. gigantea* (Quenstedt, 1836), but that opinion, which is identical with Vredenburg's (1927), is not mentioned in this application.

Gisortia species are largely characterized by their general proportions and the features developed in the thick layers of callus that cover their shells (Vredenburg, 1927; Schilder, 1930). At present, there are neither studies of intrapopulation variation among putative adults, nor ontogenetic studies of the development of the callus in any one species. Consequently it is quite uncertain how specimens from widely separated localities, of differing sizes and possibly ontogenetic ages, can be adequately compared in a systematic context (compare the size of the type specimens: Pacaud & Dolin, figs. 1 and 2). *Gisortia* shells appear to have relatively few discrete and constant characters and it seems likely that fruitful systematic re-evaluation of this group will require the use of morphometric methods.

To conclude, I regard the current application as essentially taxonomic rather than nomenclatural in nature. The proposed taxonomic act is unsubstantiated and premature. I regard each of the four actions proposed in this case as unnecessary.

Additional references

- Curry, D., King, A.D., King, C. & Stinton, F.C. 1978. The Bracklesham Beds (Eocene) of Bracklesham Bay and Selsey, Sussex. *Proceedings of the Geologists' Association*, **88**: 243–254.

- Dolin, C. & Dolin, L.** 1983. Révision des Triviacea et Cypraeacea (Mollusca, Prosobranchiata) éocènes récoltés dans les localités de Gan (Tuilerie et Acot) et Bosdarros (Pyrénées Atlantiques, France). *Mededelingen van de Werkgroep voor Tertiaire en Kwartaire Geologie*, 20(1): 5–48.
- Quenstedt, F.A.** 1836. Beiträge zur Petrefaktenkunde. *Archiv für Naturgeschichte*, (2)1: 245–250.

Comment on proposed conservation of the usage of the names *Phymaturus* Gravenhorst, 1838 and *Lacerta palluma* Molina, 1782 (currently *Phymaturus palluma*; Reptilia, Sauria) by designation of a neotype for *Lacerta palluma* Molina, 1782

(Case 3225; see BZN 60: 38–41; 58)

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I support this application, as it is important to conserve current usage of these two widely used names.

Comment on the proposed conservation of the specific name of *Macropodus concolor* Ahl, 1937 (Osteichthyes, Perciformes)

(Case 3255; see BZN 60: 206–207)

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We strongly support the application by Schindler & Staeck to conserve the specific name *Macropodus concolor* Ahl, 1937 (family OSPHRONEMIDAE). Since its introduction the senior synonym *M. spechti* Schreitmüller, 1936 had not been used as the valid name for the species until it was resurrected by Freyhof & Herder (2002). Their action to replace the long accepted specific name of *M. concolor* does not promote stability and was in contravention of the Preamble and Article 23.2 of the Code.

Unfortunately the problem of *M. concolor* versus *M. spechti* is only the tip of the iceberg. A number of similar ornamental fish names like *M. spechti* (mostly of infrasubspecific rank) are hidden in the old popular aquarist literature. Such names were often published without correct diagnosis or designation of type specimens and are therefore generally disregarded in favour of junior synonyms based on a solid scientific description like *M. concolor*.